

1 unnecessary physical and psychological pain; (b) the protocol does not comport with contemporary
2 norms and standards of society; and (c) the protocol offends the dignity of the person and society.

3 22. The Department of Correction's lethal injection protocol requires utilization of three
4 dangerous chemicals but does not ensure that the personnel entrusted with the lethal injection
5 procedure possess the proper and necessary training, experience, or expertise to administer those
6 drugs. Moreover, the protocol fails to specify any timing for the administration of the three separate
7 chemicals, which is an essential requirement for their proper administration.

8 23. The use of pancuronium bromide as administered under the Department of Correction's lethal
9 injection protocol increases the risk that the use of this chemical, in combination with the initial dose
10 of sodium pentothal, will result in plaintiff being paralyzed but conscious and suffering death from
11 the burning veins and heart failure caused by the administration of the potassium chloride.

12 Moreover, because the Department of Correction's protocol calls for the potassium chloride to be
13 administered in a lethal dose, the use of pancuronium bromide serves no purpose in the execution
14 process. Pancuronium bromide unnecessarily increases the risk that a conscious prisoner will be
15 paralyzed during the injection of an extremely painful drug, yet be entirely unable to inform the
16 attendants of his condition. Without the use of pancuronium bromide, a prisoner would be able to
17 indicate that he was still conscious prior to the administration of potassium chloride. This is
18 particularly crucial because the Department of Correction's protocol indicates that the prisoner will
19 be alone in a room when he is executed, making it impossible to determine whether a prisoner is
20 conscious once he is paralyzed by the pancuronium bromide.

21 24. The American Veterinary Medical Association (AVMA) states that a combination of a
22 barbiturate and a neuromuscular blocking agent such as pancuronium bromide, a combination similar
23 to that called for by Procedure No. 770, is not an acceptable euthanasia method for animals when
24 used alone.

25 25. Sodium pentothal, which is an extremely fast-acting but not long-lasting barbiturate in an
26 ordinary clinical dose, is used as the anesthetic agent in the Department of Correction's lethal
27 injection procedure. In veterinary medicine, sodium phenobarbital, a somewhat slower-acting but
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